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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)

No. CR 08-00342 SI

v.)

ERICK DAVID LOPEZ,)
a/k/a "Spooky,")

Defendant.)

[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
FROM SPEEDY TRIAL ACT
CALCULATION (18 U.S.C. §
3161(h)(8)(A) and (B))

Defendant Erick David Lopez appeared for a status conference before the District Court at 11:00 a.m. on July 25, 2008, and, at the request of the parties, the Court scheduled another appearance for 11:00 a.m. on August 15, 2008, at which the defendant may plead guilty. The Court also ordered that time under the Speedy Trial Act be excluded until August 15, 2008 to allow the parties to finalize their plea discussions. With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) and (B), from July 25, 2008 to August 15, 2008. The parties agreed, and the Court found and held, as follows:

1 1. The defendant sought and agreed to the exclusion of time under the Speedy Trial
2 Act so that defense counsel and the Government can have additional time to pursue plea
3 discussions, and so that counsel can advise his client of the terms of any such disposition.

4 2. Given these circumstances, the Court found that the ends of justice served by
5 excluding the period from July 25, 2008 to August 15, 2008 from Speedy Trial Act calculations
6 outweigh the interests of the public and the defendant to a speedy trial by allowing for the
7 continuation of plea discussions and for the defense to prepare effectively, in accordance with 18
8 U.S.C. § 3161(h)(8)(A) and (B).

9 3. Accordingly, with the consent of the defendant, the Court ordered that the period
10 from July 25, 2008 to August 15, 2008 be excluded from Speedy Trial Act calculations, pursuant
11 to 18 U.S.C. § 3161(h)(8)(A) and (B).

12
13 IT IS SO STIPULATED.

14
15 DATED: July 25, 2008

16 /s/
17 _____
18 W.S. WILSON LEUNG
19 Assistant United States Attorney

20
21 DATED: July 25, 2008

22 /s/
23 _____
24 PETER GOODMAN, ESQ.
25 Attorney for Defendant ERICK LOPEZ

26
27 IT IS SO ORDERED.

28 DATED: July ____, 2008

HON. SUSAN ILLSTON
United States District Judge